

Protecting job rights of Guardsmen, Reservists

By Jennifer West

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Norman L. Churchill wants employers and their employees who are Reservists and National Guardsmen to know fulfilling patriotic duty in military service can't hurt on the job.

As the state chairman of the Employer Support of the Guard and Reserve, called "ESGR," Churchill and other statewide committee members promote awareness of the 1994 Uniformed Services Employment and Reemployment Rights Act. They work with companies and employees experiencing potential or actual problems because of military obligations.

"We've learned most employers at the top and throughout the organizations are patriotic and want to do the right thing," Churchill said. But, some employers simply do not know or understand the federal law protecting the employment rights of individuals called to serve their country. That's when ESGR can step in to help inform company human resources staff, supervisors and others involved.

"We're an awareness organization," Churchill explained. "We are proactive in that we have several different activities that support the effort to make employers and Guard and Reserve aware of the federal law that gives the Guard or Reserve member their jobs back once they return, and that's the key."

"(ESGR members) are trained in Washington by lawyers and other people as to the law and how to administer the law," he explained. "So, when you call an ombudsman in our committee, you are talking to someone that has received formal training in the law and how to deal with it to help these young Guard and Reservists."

Through briefings to Guard and Reserve units and activities aimed at employers, the message is being promoted successfully. Previously, Churchill explained, the ESGR message was spread through briefings to the military members. However, more recently organization policy changed that emphasis.

"Until recently, one of our main charges was to explain the law and the rights to the Guard and Reserve members...we had made a yearly effort to reach every Guard and Reserve unit in the state and conduct a briefing," Churchill said.

"The Pentagon and ESGR changed the policy in November, and it's now the responsibility of the unit, and the command structure. We're changing our emphasis from briefing the unit member toward public outreach to employers, because we've found over the last couple of years that the employers are ignorant of the federal law that requires them to reinstate their employees. (The change) is a good revision of priorities."

That change, however, has resulted in an increased workload for the 110 New Mexico committee members, who are still asked by units to conduct briefings to units along with connecting with many employers.

With deployments increasing now, an increase in calls from employers and military members is not a great surprise

to ESGR members. Whereas previously the committee received a couple of complaints daily from Guard or Reserve members, it now hears from about six monthly. But the good news is that many of the calls now are from Guard or Reservists interested in obtaining recognition for their employers.

"You see that people are reaching out. They are patriotic for the Guard and Reservist who knows what a bind they put the employer in, and they want to show some appreciation," Churchill said.

The organization's methods of educating the private sector primarily focus these days on reaching employers through awards, briefings and special annual Bosslift tours to locations where Guardsmen and Reservists can be observed performing their duties.

Although an employer might initially express mild interest in an employee's military duty before taking the organization's tour, Churchill said that

mild interest clearly elevates to excitement and enthusiasm during the Bosslift tours. The tours, he added, are a great tool for building rapport and better understanding of the law and their military employees' obligations for companies that are hesitantly complying with the federal act.

Also beneficial to bringing companies into the loop are the Secretary of Defense Employer Support Freedom and Pro Patria awards. Reservists and Guardsmen can request that their companies or supervisors be nominated for the Freedom award that recognizes those individuals or companies that have gone beyond complying with the law in supporting



Photo by Todd Berenger

Norman L. Churchill, New Mexico chairman of the Employer Support of the Guard and Reserve.

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